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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Vitalij LISSOTSCHENKO and
Aleksei MIKHAILOV

Serial No.: 10/505,173

Examiner: David N. Spector

Filed : February 10, 2005

Group Art Unit: 2873

For : MODULATION DEVICE

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment bearing a mail date of April 22, 2005, applicant encloses a replacement Preliminary Amendment claims section wherein the words "currently amended" have replaced the word "amended". This re-submission of the non-compliant section has been submitted within the one-month time frame from the mail date of the compliance letter.

Respectfully submitted,



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April 26, 2005
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Attorney Docket No: A-9211.RNNCA/cat